

## CHAPTER 354

## VALUATION AND ASSESSMENT OF PROPERTY

## S. F. 772

AN ACT relating to the valuation and assessment of property for purposes of taxation and determining the rate of assessment.

*Be It Enacted by the General Assembly of the State of Iowa:*

1 SECTION 1. Section four hundred forty-one point twenty-one  
2 (441.21), Code 1966, is hereby amended by striking all of lines one  
3 (1) through nineteen (19), inclusive, and inserting in lieu thereof the  
4 following:

5 "1. All real and tangible personal property subject to taxation shall  
6 be valued at its actual value which shall be entered opposite each item,  
7 and shall be assessed at twenty-seven (27) percent of such actual value,  
8 and such value so assessed shall be taken and considered as the tax-  
9 able value of such property upon which the levy shall be made.

10 "The actual value of all property subject to assessment and taxation  
11 shall be the fair and reasonable market value of such property. 'Mar-  
12 ket value' is defined as the fair and reasonable exchange in the year in  
13 which the property is listed and valued between a willing buyer and a  
14 willing seller, neither being under any compulsion to buy or sell and  
15 each being familiar with all the facts relating to the particular prop-  
16 erty. Sale prices of the property or comparable property in normal  
17 transactions reflecting market value, and the probable availability or  
18 unavailability of persons interested in purchasing the property, shall  
19 be taken into consideration in arriving at its market value. In assess-  
20 ing and placing a value on agricultural property, said value shall be  
21 determined on the basis of its current market value as reflected by its  
22 current use.

23 "The market value of an inventory or goods in bulk shall be their  
24 market value as such inventory or goods in bulk, not their retail or  
25 unit price. Such market value shall be fair and reasonable based on  
26 market value of similar classes of property.

27 "In the event market value of the property being assessed cannot  
28 be readily established in the foregoing manner, then the assessor may  
29 consider its productive and earning capacity if any, industrial condi-  
30 tions, its cost, physical and functional depreciation and obsolescence  
31 and replacement cost, and all other factors which would assist in de-  
32 termining the fair and reasonable market value of the property but  
33 the actual value shall not be determined by use of only one such factor.  
34 The following shall not be taken into consideration: special value or  
35 use value of the property to its present owner, and the good will or  
36 value of a business which uses the property as distinguished from the  
37 value of the property as property. Upon adoption of uniform rules and  
38 regulations by the state tax commission or succeeding authority cover-  
39 ing assessments and valuations of such properties, said valuation on  
40 such properties shall be determined in accordance therewith for as-  
41 sessment purposes to assure uniformity, but such rules and regula-  
42 tions shall not be inconsistent with or change the foregoing means of  
43 determining the actual, market, taxable and assessed values.

44 " 'Actual value', 'taxable value', or 'assessed value' as used in other  
45 sections of the Code shall mean the valuations as determined by this  
46 section; however, other provisions of the Code providing special meth-  
47 ods or formulas for assessing or valuing specified property shall re-  
48 main in effect, but this section shall be applicable to the extent con-  
49 sistent with such provisions.

50 "The burden of proof shall be upon any complainant attacking such  
51 valuation as excessive, inadequate, inequitable or capricious; however,  
52 in protest or appeal proceedings when the complainant offers compe-  
53 tent evidence by at least two (2) disinterested witnesses that the  
54 market value of the property is less than the market value determined  
55 by the assessor, the burden of proof thereafter shall be upon the offi-  
56 cials or persons seeking to uphold such valuation to be assessed."

1 SEC. 2. Further amend said section four hundred forty-one point  
2 twenty-one (441.21) by adding at the end thereof, the following sub-  
3 section:

4 "2. For the purpose of computing the debt limitations for municipi-  
5 talities, political subdivisions and school districts as provided in sec-  
6 tions four hundred seven point one (407.1) and four hundred seven  
7 point two (407.2) of the 1966 Code, the term 'actual value' as used in  
8 said sections shall mean the 'actual value' as determined by this sec-  
9 tion and entered opposite each item, and as listed on the tax list as  
10 provided in section four hundred forty-three point two (443.2) of the  
11 Code as 'actual value'.

12 "Whenever any board of review or other tribunal changes the as-  
13 sessed value of property, all applicable records of assessment shall be  
14 adjusted to reflect such change in both assessed value and actual value  
15 of such property."

1 SEC. 3. Section four hundred twenty-eight point twenty-nine  
2 (428.29), Code 1966, is hereby amended by striking all after the  
3 comma (,) in line ten (10), all of line eleven (11), and all of line  
4 twelve (12) before the period (.), and by adding in lieu thereof the  
5 following:

6 "as provided by section four hundred forty-one point twenty-one  
7 (441.21), Code 1966, as amended."

1 SEC. 4. Section four hundred thirty-four point fifteen (434.15),  
2 Code 1966, is hereby amended by striking all of line six (6), and all  
3 of line seven (7), and all before the word "and" in line eight (8) and  
4 inserting in lieu thereof the words "the actual value so ascertained  
5 shall be assessed as provided by section four hundred forty-one point  
6 twenty-one (441.21), Code 1966, as amended,".

1 SEC. 5. Section four hundred thirty-five point seven (435.7), Code  
2 1966, is hereby amended by striking all of lines twenty-five (25),  
3 twenty-six (26) and twenty-seven (27) and adding in lieu thereof the  
4 following:

5 "and the residue of actual value so ascertained shall be assessed as  
6 provided by section four hundred forty-one point twenty-one (441.21),  
7 Code 1966, as amended."

1 SEC. 6. Section four hundred thirty-eight point thirteen (438.13),  
2 Code 1966, is hereby amended by striking all of lines five (5), six (6),  
3 seven (7) and figures "441.21" before the semicolon in line eight (8),  
4 and inserting in lieu thereof the words, "provided, and the actual and  
5 taxable value so ascertained shall be assessed as provided by section  
6 four hundred forty-one point twenty-one (441.21), Code 1966, as  
7 amended".

1 SEC. 7. Section four hundred twenty point two hundred four  
2 (420.204), Code 1966, is hereby amended by striking all after the word  
3 "be" in line eight (8) and all of lines nine (9) through eighteen (18),  
4 inclusive, and inserting in lieu thereof the words "valued and assessed  
5 as provided by section four hundred forty-one point twenty-one  
6 (441.21), Code 1966, as amended. The levy so ascertained shall be  
7 certified to the county treasurer of the".

1 SEC. 8. Section four hundred twenty-eight point four (428.4),  
2 Code 1966, is hereby amended by striking from line five (5) the fig-  
3 ures "1933" and inserting in lieu thereof the figures "1968".

1 SEC. 9. Section four hundred forty-one point forty-five (441.45),  
2 Code 1966, is hereby amended by inserting the words "actual and"  
3 following the word "aggregate" in line two (2) of subsection one (1),  
4 in line one (1) of subsection two (2), in line one (1) of subsection  
5 three (3), and in line three (3) of subsection four (4).

1 SEC. 10. Section four hundred forty-three point five (443.5), Code  
2 1966, is hereby amended by inserting the words "actual and" following  
3 the word "aggregate" in line five (5).

1 SEC. 11. All assessors and assessing bodies, including the state tax  
2 commission or succeeding authority over the assessment of property  
3 for tax purposes shall certify to the county auditor of each county the  
4 actual and assessed values of all the taxable property in such county  
5 as finally equalized and determined, and the same shall be transcribed  
6 onto the tax lists as required by section four hundred forty-three point  
7 two (443.2) of the Code.

1 SEC. 12. All assessors and assessing bodies, including the state tax  
2 commission or succeeding authority over the assessment of property  
3 for tax purposes, shall comply with the provisions of this Act. The  
4 state tax commission or succeeding authority over such assessments,  
5 shall exercise its powers and perform its duties under section four  
6 hundred twenty-one point seventeen (421.17) of the Code and other  
7 applicable laws so as to require the uniform and consistent application  
8 of this Act.

1 SEC. 13. The provisions of this Act shall become effective January  
2 1, 1968, and shall apply to all assessments made in the year 1968 and  
3 each year thereafter.

1 SEC. 14. This Act, being deemed of immediate importance, shall  
2 take effect after its passage, approval and publication in The Perry

3 Daily Chief, a newspaper published at Perry, Iowa, and in the Oel-  
 4 wein Daily Register, a newspaper published at Oelwein, Iowa.

Approved July 24, 1967.

This Act was passed by the G. A. on, or after, July 1, 1967.

I hereby certify that the foregoing Act, Senate File 772, was published in The Perry Daily Chief, Perry, Iowa, August 3, 1967, and in the Oelwein Daily Register, Oelwein, Iowa, July 27, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 355

### REAL ESTATE INDEX SYSTEM

#### S. F. 175

AN ACT to permit establishment of permanent real estate tax parcel index numbering systems and related tax maps.

*Be It Enacted by the General Assembly of the State of Iowa:*

1 SECTION 1. Section four hundred forty-one point twenty-nine  
 2 (441.29), Code 1966, is hereby amended by adding thereto the follow-  
 3 ing:  
 4 "The auditor of any county with the approval of the board of super-  
 5 visors may establish a permanent real estate index number system  
 6 with related tax maps for all real estate tax administration purposes,  
 7 including the assessment, levy and collection of such taxes. Wherever  
 8 in real property tax administration the legal description of tax parcels  
 9 is required, such permanent number system may be adopted in addition  
 10 thereto or in lieu thereof. If established, the permanent real  
 11 estate index number system shall describe real estate by township,  
 12 section, quarter section, block series and parcel; and the auditor shall  
 13 prepare and maintain permanent real estate index number tax maps,  
 14 which shall carry such numbers and reflect the legal description of  
 15 each parcel of real estate and delineate it graphically; and the auditor  
 16 shall prepare and maintain cross indexes of the numbers assigned  
 17 under said system, with legal description of the real estate to which  
 18 such numbers relate. Indexes and tax maps established as provided  
 19 herein shall be open to public inspection."

Approved July 5, 1967.

This Act was passed by the G. A. before July 1, 1967.